

January 23, 2023

VIA ECF

Honorable Vera M. Scanlon
United States Magistrate Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: Valentine v. City of New York et al., 21-CV-4867 (EK) (VMS)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Honorable Sylvia O. Hinds-Radix, Corporation Counsel of the City of New York, attorney assigned to the defense in the above-referenced matter. I write on behalf of the Parties to respectfully request that Your Honor: (1) schedule a settlement conference, (2) stay the instant matter until a date to be determined by the Court after the settlement conference, and (3) an extension of the current January 31, 2023 deadline to amend the pleadings until a date to be determined by the court after the settlement conference. This is the first such request for a Settlement Conference, for a discovery extension, and a stay of discovery.

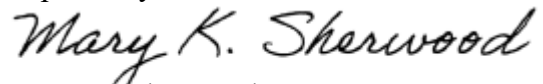
By way of background, the Complaint alleges that, on May 31, 2020, *inter alia*, members of the New York City Police Department (“NYPD”) used excessive force on plaintiff. As such, plaintiff now brings numerous federal claims against the City, individual NYPD members, and “John Does” alleging, *inter alia*, municipal liability and excessive force. The Court issued a scheduling order on September 14, 2022 stating, *inter alia*, that any further amendment of the pleadings must be made by January 31, 2023 and all fact discovery must be completed by May 15, 2023. (Dkt. Entry dtd. Sept. 14, 2022).

The Parties have engaged in preliminary settlement discussions and believe that a settlement conference would be useful. The Parties are optimistic that with Your Honor’s assistance a resolution can be reached and would therefore like to request that the Court schedule a settlement conference.

Since the Parties are optimistic about the prospect of settlement, the Parties respectfully request that discovery be stayed until a date to be determined by the Court after the scheduled settlement conference. Further, the Parties respectfully request an extension of the current January 31, 2023 deadline to amend the pleadings until a date to be determined by the court after the settlement conference, since amending will require additional discovery that the parties will not need to conduct if there is a settlement.

The Parties thank Your Honor for your consideration of these requests.

Respectfully submitted,

A handwritten signature in black ink that reads "Mary K. Sherwood". The signature is written in a cursive, flowing style.

Mary K. Sherwood
Assistant Corporation Counsel
Special Federal Litigation

cc: **VIA ECF & EMAIL**
All counsel of record